

Scioto Township Zoning Commission – December 20, 2016

A meeting of the Scioto Township Zoning Commission was called to order at 7:00 p.m. by Chair Weatherhead. The following members were present: Roese, Weatherhead, Hamilton, Fisher, Jahn.

Weatherhead moved to suspend the reading of the minutes. Roese seconded the motion. Vote was unanimous. Motion carried.

### **New Business**

**Hearing** – an application was received for rezoning and lot splits, from AG to R1 of 2.331 acres and 2.586 acres. Property is located at 15084 SR 104. The County Planning Commission recommended approval with a majority vote.

McFarland presented the application. He stated the proposed lots meet Township zoning rules. The applicant will work with ODOT once the lot splits are approved. The one lot will have a shared driveway with the original property. Applicant Scott stated this was the safest option. Health Department approvals were received. There were no neighbors to come forward in favor of- or against- the splits.

Roese asked about how far proposed lots were from Pettibone's property. Scott stated lot abuts against Pettibone's property.

Jahn voted to accept the applications as submitted and to recommend approval of the lot splits and rezoning to the Board of Trustees. Weatherhead seconded the motion. Hamilton noted for clarification that one of the parcel numbers is incorrect on the Health Department form. Vote: Jahn-yes, Fisher-yes, Roese-yes, Weatherhead-yes, Hamilton-yes. Motion carried. Trustee hearing on this matter will be January 19, 2017.

**Hearing** – an application was received for rezoning a lot from AG to SU. Property is located at 9945 Kepler Ford Road.

McFarland provided the background related to the property and included a 2011 opinion from Archer at a time when the property was for sale. In this opinion, Archer stated the property is nonconforming as no one has lived in the cabins for years. Archer has not issued an opinion since 2011. Troy Adkins and his father purchased the property for an investment. Adkins stated one of the cabins has been occupied since he was a child. McFarland presented the flood plain map and discussed how this is addressed in the Zoning Resolution. The cabins were constructed in the 1940s. The recreational facility has been in use for the past several years. A sample copy of the contract used to lease the recreational facility was provided so the Commission will understand it's use. Facility will not have a liquor license. Prior property owner used the recreational facility for Church related activities.

The County Planning Commission approval was unanimous. There have been no neighbors to come forward in favor of- or against- the splits. The Commission discussed the impact of the Darby Creek Conversation District.

Troy Adkins came before the Zoning Commission. He stated someone is currently living in the first cabin down the hill. When Adkins' purchased the property, a property caretaker lived there. He said he had attended events at the recreational facility prior to purchasing the property. Adkins said there was also a couple residing in the next cabin coming down the hill, the third needs work and the fourth is basically just a foundation. Since he and his father purchased the property, they have worked to clean up the property and continue to rent it for weddings, wedding receptions, etc. They assumed the use would be grandfathered and did not think there would be a Zoning issue. Once notified by Zoning, they reviewed the Resolution to determine the Zoning district that would be the best fit and then worked to get the survey and Health Department approval. They hope to make the cabins nice again, but will not be making them larger. All the cabins have electric, as well as their own wells and septic systems. The recreational facility has a separate well and septic which have been approved by the Health Department.

Jahn stated no objections with the recreational facility but would not accept the rezoning until the Health Department has looked at the cabins' septic systems. Roese stated same. Weatherhead said he had no problems with the cabins since they have been there but does have concerns with the sewage systems as well.

Troy Adkins requested the Hearing be tabled. The Commission asked that the Health Department inspect the well and sewage system for each cabin. In addition, the Commission requested approval from the Building Department/Army Corp of Engineers/Scioto Darby Conservation or whoever regulates the Darby Creek Watershed – stating the cabins can be repaired/remodeled.

Roesse moved to accept applicant's request to table the Hearing so Adkins can gather the additional information. Jahn seconded the motion. Vote: Jahn-yes, Fisher-yes Roesse-yes, Weatherhead-yes, Hamilton-yes. Motion carried. If requested information cannot be obtained by January 17, 2017, the next Regular meeting of the Zoning Commission, Adkins can request an extension.

**Clarence Wissinger, President of Noxious Vegetation Control, Inc.** provided information on his business. His plan is to purchase the existing daycare on SR 104 and move his business from Groveport to this location. The Commission reviewed his packet and asked questions about chemicals/chemical storage, helicopters, and general business activity. Weatherhead recommended he proceed to submit a packet with his development plan. Weatherhead asked McFarland to look up the prior zoning change on the property to determine if it addressed the house to the rear of the property.

**Zoning Reports** – McFarland distributed the Zoning certificate and violation reports and reviewed the information. A copy of the new Zoning Resolution Index, to include OR District, was provided. The Zoning Resolution is being reprinted to incorporate the updates to date and new copies will be prepared in 3-ring binders for the Zoning Commission.

#### **Old Business**

**Minutes** - the minutes of the Regular meeting of November 15, 2016 were approved in a motion by Jahn with a second by Weatherhead. Vote: Hamilton-yes, Weatherhead-yes, Roesse-yes, Fisher-yes, Jahn-yes. Motion carried.

With no other matters to come before the Board, Jahn moved to adjourn. Hamilton seconded the motion. Vote was unanimous. Meeting adjourned.

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